

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
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FILED

MAY 30 2003

INDIANA UTILITY  
REGULATORY COMMISSION  
CAUSE NO. 42236

COMPLAINT OF TIME WARNER TELECOM )  
AGAINST AMERITECH INDIANA REGARDING )  
ITS UNLAWFUL MARKET PRACTICE OF ISSUING )  
EQUIPMENT VOUCHERS IN VIOLATION OF )  
THE INDIANA CODE AND OPPORTUNITY )  
INDIANA II AND PETITION FOR EMERGENCY )  
SUSPENSION OF ANY AND ALL AMERITECH )  
INDIANA EQUIPMENT VOUCHER MARKETING )  
PRACTICES PENDING COMMISSION )  
INVESTIGATION )

RESPONDENT: INDIANA BELL TELEPHONE )  
COMPANY, INCORPORATED )  
D/B/A AMERITECH INDIANA )

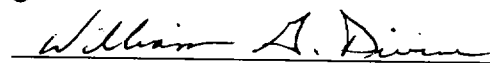
You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") makes the following entry in this Cause:

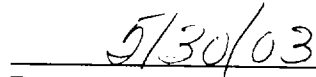
On May 21, 2003, pursuant to 170 IAC 1-1.1-4, Time Warner Telecom of Indiana, L.P. ("TWTC") filed a *Motion for Confidential Treatment of Michael Starkey's Pre-Filed Rebuttal Testimony* ("Motion"). Accompanying the Motion was the sworn statement of Michael Starkey. The Motion, pursuant to Indiana Code 5-14-3 and 24-2-3, seeks trade secret protection of the information that, in the sworn statement, is described as cost and pricing data provided to TWTC by SBC Indiana. The sworn statement asserts that SBC Indiana claims to take significant steps to ensure the information is not publicly disclosed and that a competitive disadvantage would result from disclosure of the information.

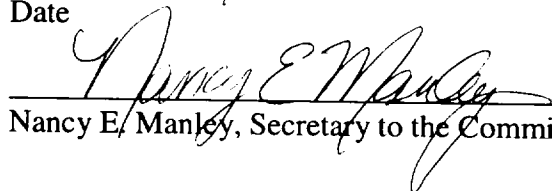
The Presiding Officers, having reviewed and considered the Motion, hereby grant the Motion on a preliminary basis. This preliminary determination is based on a finding that the subject information is exempt from public disclosure, pursuant to Indiana Code 5-14-3-4(a), as records containing trade secrets and/or confidential financial information. Accordingly, TWTC shall hand deliver to the Presiding Administrative Law Judge, in a sealed envelope clearly marked confidential and with the Cause Number noted thereon, the prefiled rebuttal testimony of Michael Starkey that includes cost and pricing data provided to TWTC by SBC Indiana.

IT IS SO ORDERED.

  
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Judith G. Ripley, Commissioner

  
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William G. Divine, Administrative Law Judge

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Nancy E. Manley, Secretary to the Commission